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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

ORBITAL PUBLISHING GROUP, INC.,

Plaintiff.

-against-

BANK OF AMERICA, N.A.,

Defendant.

11 Civ. 3065 (PAC)

STIPULATION AND ORDER **EXTENDING DEFENDANT'S** TIME TO FILE A THIRD-PARTY COMPLAINT

IT IS HEREBY STIPULATED AND AGREED that Defendant's time to file a third-party complaint shall be extended from July 29, 2011 to December 26, 2011.

This is the first request for an extension of this time.

IT IS FURTHER STIPULATED AND AGREED that this Stipulation may be signed in counterparts and that facsimile copies shall be deemed originals.

Dated:

New York, New York

July 24, 2011

LENNON& KLEIN, P.C.

ZEICHNER ELLMAN & KRAUSE LLP

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Attorneys for Plaintiff

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(212) 465-2020

SO ORDERED:

2 7 JUL 2011

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